

1401264-Court-A-U.S.  
KEVIN J. KIERNAN  
SILVA, SWEET & KIERNAN, PLLC  
101 W. MAIN ST  
CLINTON, NC 28328

IN RE  
TERESA JEAN HOPE  
201 MILL CREEK CHURCH ROAD  
  
ROSEBORO, NC 28382  
SSN or Tax I.D. XXX-XX-0460

U.S. Bankruptcy Court  
P.O. Box 791  
Raleigh, NC 27602

Chapter 13  
Case Number: 14-01264-5-DMW

NOTICE OF AMENDED MOTION FOR CONFIRMATION OF PLAN

Joseph A. Bledsoe, III, Chapter 13 Trustee has filed papers with the Court to Confirm the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the Motion For Confirmation Of Plan, or if you want the court to consider your views on the motion, then on or before 06/30/2014, you or your attorney must file with the court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing at:

U.S. Bankruptcy Court  
PO Box 791  
Raleigh, NC 27602

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to debtor(s), debtor(s) attorney and trustee at the following addressses:

Debtor(s):	Attorney:	Trustee:
TERESA JEAN HOPE	KEVIN J. KIERNAN	Joseph A. Bledsoe, III
201 MILL CREEK CHURCH ROAD	SILVA, SWEET & KIERNAN, PLLC	P.O. Box 1618
ROSEBORO, NC 28382	101 W. MAIN ST	New Bern, NC 28563
	CLINTON, NC 28328	

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the motion at a date, time and place to be later set and all parties will be notified accordingly.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: May 29, 2014

Joseph A. Bledsoe, III  
Chapter 13 Trustee  
P.O. Box 1618  
New Bern, NC 28563

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
FAYETTEVILLE DIVISION**

**IN RE:**

**CASE NUMBER: 14-01264-5-DMW**

**TERESA JEAN HOPE**

**CHAPTER 13**

**DEBTOR(S)**

**AMENDED**

**MINUTES OF 341 MEETING AND  
MOTION FOR CONFIRMATION OF PLAN**

NOW COMES the Trustee in the above referenced Chapter 13 case moving the Court for an Order confirming the Plan in the case and, in support, of said Motion, says unto the court:

1. That the debtor(s) appeared at the meeting of creditors, as required by 11 U.S.C. § 341 and submitted to an examination under oath by the Trustee on April 22, 2014, or has supplied answers to written interrogatories;
2. The debtor(s) has/have complied with all requirements of 11 U.S.C §521 (a) (1) (B) and Interim Bankruptcy Rules 1007 and 4002 (b), as modified and adopted by this Court, and this case has not been dismissed, nor is it subject to dismissal, under 11 U.S.C. §521 (i);
3. That there are no pending objections to confirmation or other filings or pleadings that would impede the confirmation of the Plan in this case;
4. That the trustee has reviewed the schedules and relative information in the debtor(s) petition and has made a determination of the disposable income for the debtor(s) in this case. The calculation of disposable income impacts what, if any, dividend will be received by unsecured creditors. The debtor(s) plan provides for payments of:

\$659.00	for	36	Months
	for		Months
	for		Months
	for		Months

5. That the liens of creditors which will not be paid in full during the term of the Plan or which are to be paid directly by the debtor(s) are not affected by the confirmation of this plan;
6. Generally, and subject to orders entered hereafter by the Court, any proof of claim that is not filed on or before July 21, 2014 ("Bar Date") shall be disallowed. Claims of governmental units, proofs of which are not filed before September 1, 2014 ("Government Bar Date") shall be disallowed;
7. That the claims of secured creditors shall be paid as secured to the extent of the claim or to the extent of the value of the collateral as set out below:

## a. Claims to be paid directly by the Debtor:

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
#023 Wells Fargo	'05 Ford F150	Outside
#024 Wells Fargo	'05 Ford F150 arrears	-0-

## b. Continuing Long Term Debts to be paid by the Trustee:

**IF A PROOF OF CLAIM IS TIMELY FILED** the claim is to be paid on a monthly basis according to the terms of the contract effective the first month after confirmation. Arrearages, if any, are to be paid over the life of the plan. Two post-petition contractual payments shall be included in the administrative arrearage claim. **The Debtor is to resume direct payments upon completion of plan payments.**  
**(SEE PARAGRAPH 8 BELOW)**

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
#800 Bank of America	Residence	Contractual payment in the amount of \$485.66 to be made by Trustee effective with the June 2014 payment
#801 Bank of America	Residence administrative arrearage claim	\$971.32 to be paid over life of plan (April and May 2014 payments)
#802 Bank of America	Residence pre-petition arrears	\$1,104.07 to be paid over life of plan
		NO CLAIM FILED

## c. Claims paid to extent of claims as filed (no cramdown):

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
NONE		

## d. Claims paid to extent of value:

<u>Creditor</u>	<u>Collateral</u>	<u>Present Value</u>	<u>Repayment Rate/Term</u>
NONE			

Pursuant to Local Rule 3070-1(b) some secured creditors may be entitled to pre-confirmation adequate protection payments.

8. **LONG TERM RESIDENTIAL MORTGAGE CLAIMS** shall be paid in a manner consistent with Local Rule 3070-2.
9. That the following creditors have filed secured proofs of claims but, due to the value placed on the collateral, the claims will be treated as unsecured and paid along with other unsecured claims. With respect to claims listed below for which the terms of repayment are listed as "Surrender," upon entry of an Order confirming the plan, as modified by this Motion, the automatic stay of §362(a) and the automatic co-debtor stay of §1301 shall thereupon be lifted and modified with respect to such property "for cause" under §362(a)(1), as allowed by Local Rule 4001-1(b).

NONE

Reference herein to "Direct" or "Outside" or similar language regarding the payment of a claim under this plan means that the debtor(s) or a third party will make the post-petition payments in accordance with the contractual documents which govern the rights and responsibilities of the parties of the transaction, including any contractual modifications thereof, beginning with the first payment that comes due following the order for relief;

10. That the treatment of claims indicated in paragraphs 7 and 9 above, are based on information known to the Trustee at the time of the filing of this Motion. The treatment of some claims may differ from that indicated if subsequent timely filed claims require different treatment;
11. That the following executory contracts and unexpired leases shall be either assumed or rejected as indicated below:

<u>Creditor</u>	<u>Property Leased/Contracted For</u>	<u>Treatment</u>
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NONE

12. That priority claims shall be paid in full over the term of the Plan;
13. That confirmation of this Plan will be without prejudice to pending Motions For Relief From the Automatic Stay and will be without prejudice to objections to claims and avoidance actions;
14. That confirmation of the Plan vests all property of the estate in the debtor(s);
15. That the attorney for the debtor(s) is requesting fees in the amount of \$3,700.00. The Trustee recommends to the Court a fee of \$3,700.00. If the recommended fee is different from that requested an explanation can be found in Exhibit 'A'.

s/ Joseph A. Bledsoe, III  
Joseph A. Bledsoe, III  
Standing Chapter 13 Trustee

**EXHIBIT 'A'****CASE NUMBER: 14-01264-5-DMW****DEBTORS: TERESA JEAN HOPE****EMPLOYMENT:**Debtor: KIVETT'S INC./MOTHER  
ASSISTANCE

GROSS INCOME: \$23,000.76

Spouse:

**Prior Bankruptcy cases:** Yes ☐ No ☒ If so, Chapter filed

Disposition:

**Real Property:** House and Lot ☐ Mobile home ☐ Lot/Land ☐ Mobile Home/Lot ☒

Description: RESIDENCE

FMV \$65,024.00

Date Purchased

Liens \$53,521.00

Purchase Price

Exemptions \$11,503.00

Improvements

Equity \$ 0.00

Insured For

Rent \$0.00

Tax Value

**COMMENTS:****Attorney** Requested: \$3,700.00 (excluding filing fee)**Fees:** Paid: \$500.00 (excluding filing fee)

Balance: \$3,200.00

**Trustee's Recommendation:** \$3,700.00

Comments:

**Plan Information:**

<u>Plan Information:</u>		<u>After 341</u>		<u>Payout % After 341</u>	
Total Debts	\$87,843.04	Pay in	\$23,724.00	Priority	100.00%
Priority	\$3,200.00	Less 6.00%	\$1,423.44	Secured	100.00%
Secured	\$18,587.73	Subtotal	\$22,300.56	Unsecured	0.78%
Unsecured	\$66,055.31	Req. Atty. Fee	Incl. w/ claims	Joint	%
Joint Debts		Available	\$22,300.56	Co-Debts	%
Co-Debtor					

**Payroll Deduction:** Yes ☐ No ☒**Objection to Confirmation:** Yes ☐ No ☒

Pending: SEE COURT DOCKET

Resolved: SEE COURT DOCKET

**Motions Filed:** Yes ☐ No ☒

If so, indicate type and status: SEE COURT DOCKET

Hearing Date:

# CERTIFICATE OF MAILING

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 TASK: 05-28-2014.00443772.LSA001 DATED: 05/29/2014

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Court Served Electronically

Trustee	Joseph A. Bledsoe, III	P.O. Box 1618 New Bern, NC 28563
Debtor	TERESA JEAN HOPE	201 MILL CREEK CHURCH ROAD ROSEBORO, NC 28382
799	000002 KEVIN J. KIERNAN 101 W. MAIN ST	SILVA, SWEET & KIERNAN, PLLC CLINTON, NC 28328
021	000027 SUNRISE CREDIT SERVICES INC	PO BOX 9100 FARMINGDALE, NY 11735-9100
015	000021 PENN CREDIT CORP	PO BOX 988 HARRISBURG, PA 17108-0000
012	000008 INTERNAL REVENUE SERVICE	PO BOX 7346 PHILADELPHIA, PA 19101
009	000018 FIRST POINT COLLECTION RESOURCE	PO BOX 26140 GREENSBORO, NC 27402
005	000014 CAROLINA KIDNEY & ENDOCRINE CT	2809 MCLAMB PLAC GOLDSBORO, NC 27534
001	000010 ABSOLUTE COLLECTIONS SUITE 600	421 FAYETTEVILLE ST RALEIGH, NC 27601
017	000023 REVENUE CYCLE SOLUTIONS SUITE 600	421 FAYETTEVILLE ST RALEIGH, NC 27601
010	000019 HATCH, LITTLE & BUNN, LLP PO BOX 527	327 HILLSBOROUGH ST RALEIGH, NC 27602
014	000009 NC DEPT OF REVENUE	P O BOX 1168 RALEIGH, NC 27602-1168
004	000013 ASSOCIATED UROLOGIST OF NC, PA SUITE 110	2801 BLUE RIDGE RD RALEIGH, NC 27607-6474
008	000017 FIRST CITIZENS BANK & TRUST PO BOX 25187	ATTN MR. J BARRY DUMSER RALEIGH, NC 27611-5187
022	000028 WAKEMED	PO BOX 29516 RALEIGH, NC 27626
019	000025 SCA COLLECTION, INC	PO BOX 876 GREENVILLE, NC 27835
026	000031 MATTHEW ZACHARY PHELAN 10130 PERIMETER PKWY, SUITE 400	SHAPIRO & INGLE, L.L.P. CHARLOTTE, NC 28216
020	000026 STERN & ASSOCIATES PO BOX 63114	MANAGING AGENT CHARLOTTE, NC 28263-3114
018	000024 SAMPSON REGIONAL MED CTR	PO DRAWER 260 CLINTON, NC 28329
007	000016 CLINTON X-RAY ASSOCIATES PA	PO BOX 619 CLINTON, NC 28329-0619
013	000030 JEAN HOPE	201 MILL CREEK CHURCH RD ROSEBORO, NC 28382
002	000011 AMERICAN ANESTHESIOLOGY	PO BOX 535389 ATLANTA, GA 30353-5389
016	000022 PUBLISHERS CLEARING HOUSE	PO BOX 4002936 DES MOINES, IA 50340
011	000020 IC SYSTEMS	PO BOX 64378 SAINT PAUL, MN 55164-4378

# CERTIFICATE OF MAILING

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006	000015	CITI CARD	PO BOX 6062 SIOUX FALLS, SD 57117-6062
003	000012	AMERICAN CORADIAS INTERNATIONAL LLC	35A RUST LANE BOERNE, TX 78006
023	000006	WELLS FARGO BANK N.A.	P.O. BOX 19657 IRVINE, CA 92623-9657
024	000007	WELLS FARGO BANK N.A.	P.O. BOX 19657 IRVINE, CA 92623-9657
025	000029	WELLS FARGO DEALER SERVICES	PO BOX 25341 SANTA ANA, CA 92799-5341
800	000003 *CM	BANK OF AMERICA	PO BOX 5170 SIMI VALLEY, CA 93062-5170
801	000004 *CM	BANK OF AMERICA	PO BOX 5170 SIMI VALLEY, CA 93062-5170
802	000005 *CM	BANK OF AMERICA	PO BOX 5170 SIMI VALLEY, CA 93062-5170

33 NOTICES

THE ABOVE REFERENCED NOTICE WAS MAILED TO EACH OF THE ABOVE ON 05/29/2014.  
I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.  
EXECUTED ON 05/29/2014 BY /S/EPIQ Systems, Inc.

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\*CM - Indicates notice served via Certified Mail